

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

JOHN STUART,

Defendant.

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**21-CR-07-LJV-JJM**

**NOTICE OF MOTION**

**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public  
Defender

**DATE, TIME & PLACE:**

Before the Honorable Jeremiah J. McCarthy, United  
States Magistrate Court Judge, Robert H. Jackson  
United States Courthouse, 2 Niagara Square,  
Buffalo, New York, **on the papers submitted.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
Jeffrey T. Bagley, dated December 16, 2022.

**RELIEF REQUESTED:**

Extension on time to file Reply to the Government's  
Response in Opposition.

**DATED:**

Buffalo, New York, December 16, 2022.

Respectfully submitted,

**/s/ Jeffrey T. Bagley**

Jeffrey T. Bagley  
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*Counsel for Defendant John Stuart*

**TO:** David J. Rudroff  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
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**AFFIRMATION**

**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and I represent the defendant, John Stuart, in the instant matter.

2. The Government filed a response to the defendant's Motion to Compel on December 12, 2022 (Dkt # 66).

3. The current due date for the defendant's reply is December 19, 2022.

4. The government has advised that it intends to provide further discovery, the review of which may impact the content of the reply memorandum.

5. Therefore, I request a 3-week extension of the reply date.

6. The government has no objection to this request, and time remains excluded because of the pending motion.

**WHEREFORE**, it is respectfully requested that the defense's reply due date be extended by 3 weeks.

**DATED:** Buffalo, New York, December 16, 2022.

Respectfully submitted,

**/s/ Jeffrey T. Bagley**

Jeffrey T. Bagley

Assistant Federal Public Defender

Federal Public Defender's Office

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*Counsel for Defendant John Stuart*

**TO:** David J. Rudroff  
Assistant United States Attorney